

From: Joe Smith
To: Microsoft ATR
Date: 1/24/02 12:41pm
Subject: Microsoft Settlement

I am writing as a concerned citizen who has worked with computers in Biomedical research for almost 25 years. If the proposed settlement is allowed to stand, I believe it will cause great harm to the computer industry and to our society.

Detailed arguments have been published by others better qualified in both information technology and the law, so my comments will be brief:

The proposed settlement

- 1) does not punish Microsoft for it's illegal actions.
- 2) does not deprive Microsoft of the profit from it's illegal actions.
- 3) does not prevent Microsoft from continuing to maintain it's monopoly in desktop operating system and application software.
- 4) will not prevent Microsoft from using it's monopoly position to aggressively and unfairly compete in related markets.

Many, including apparently the Department of Justice, feel that the status quo is acceptable and that Microsoft's monopoly is 'benevolent'.

This is a fundamental misjudgement. Absolute power in any segment of society is unacceptable, regardless of how efficient or benevolent it may seem. A healthy IT industry and economy requires free competition among a variety of companies and technologies.

That Microsoft's monopoly has already harmed it's customers is plain if you compare the open and competitive PC hardware sector with the Microsoft-dominated PC software sector. Hardware performance has increased geometrically (roughly doubling every two years) while costs have decreased. PC software performance, on the other hand, is marginally better than it was 10 years ago and it is MORE expensive.

Perhaps even more damaging is the precedent this settlement creates: a company with a history of anti-competitive behavior and resistance to legislative action, convicted of illegal activity, is walking away essentially unpunished, a corporate scofflaw. This sends a powerful message to other large corporations and even to other countries that the US government is unwilling or unable to pursue such matters to a fair and just conclusion.

Thank you for the opportunity to comment on this matter,

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